

REMARKS

Upon entry of this Amendment, claims 1-19 are pending in this application. Claims 3, 7, 8 and 13 are presently amended, leaving claims 1, 2, 4-6, 9-12 and 14-19 unchanged.

Drawing Objections

The drawings are objected to for allegedly not showing every feature of the claims, specifically, the teeth on the decoupling element. Applicants assert that the teeth are the connecting pieces 22 on the decoupling element 15 illustrated in Fig. 2. The connecting pieces 22 are illustrated as several pieces one after the other, as claimed. The alternative embodiments of the decoupling element 43, 52, 72 also include the connecting pieces that are illustrated for the decoupling element 15.

The drawings are objected to for including reference numeral 55 that was not mentioned in the specification. Reference numeral 55 was included in claim 6 and claim 14 as a hook-shaped end area. The specification is amended to conform with the drawings and claims.

Withdrawal of the objections is respectfully requested.

35 U.S.C. §112 Rejections

Claims 13-19 are rejected under 35 U.S.C. §112, first paragraph, for allegedly failing to comply with the enablement requirement. Claims 13-19 set forth a decoupling element with a hook-shaped end area with a material projection featuring several teeth arranged one after the other. Applicants assert that, as noted above in response to the drawing objection, the connecting pieces 22 are several pieces positioned one after the other. Each connecting piece 22 includes a hook-shaped end area with a material projection, such that several teeth, defined by the material projections on the connecting pieces 22 are arranged one after the other around the circumference of the decoupling element 15.

Claim 3-5, 7, 8 and 13-19 are rejected under 35 U.S.C. §112, second paragraph as being indefinite.

Claims 3, 7 and 8 are amended to provide proper antecedent basis.

Claims 13-19 are rejected for lack of clarity with the disk, the material projection and the hook-shaped end area. Claim 13 is amended to depend from claim 3. To clarify, the material projection (54, 74) is positioned on the fastening element (51, 71) and the hook-shaped end area

(55, 75) is positioned on the decoupling element (52, 72). In the embodiments illustrated in Figs. 5-8, a disk (53, 73) is positioned between the material projection (54, 74) and the hook-shaped end area (55, 75). This is in contrast to the embodiments illustrated in Figs. 1-4 in which the hook-shaped end area and the material projection are the same element and the disk is omitted.

Withdrawal of the rejections is respectfully requested.

35 U.S.C. §102 and §103 Rejections

Claims 1-10, 12 and 13 stand rejected under 35 U.S.C. §102(b) as being anticipated by Morin et al. (WO 03/047926).

Claim 11 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Morin et al.

As agreed during the telephonic interview October 21, 2009, Morin et al. is not a proper 102(b) reference, because it was not published more than one year prior to the date of the application for patent. Specifically, the present application is a 371 of PCT/DE04/00880 which was filed on April 27, 2004. In contrast, Morin et al. was published on June 12, 2003, which is not more than one year before April 27, 2004.

Further, Morin et al. is not a proper 102(e) reference because Morin et al. was not filed in the U.S. before the invention thereof by applicant. Specifically, Morin et al. is not afforded the PCT filing date as the U.S. filing date because it was not published in English.

Morin et al. could be applied as a 102(a) reference, because it published on June 12, 2003, which is before the PCT filing date of April 27, 2004. However, the present application claims priority to German Application 103 29 574.7, filed June 30, 2003. A certified translation of the German priority document is submitted herewith to perfect priority.

Further, a Declaration of Prior Invention under 37 C.F.R. §1.131 signed by all of the Applicants is submitted herewith. The Applicants conceived of the invention at least as early as March 3, 2003, as evidenced by item 3 of the Declaration. A conception date at least as early as March 3, 2003 is evidenced by the date on page 1 of Exhibit A. Exhibit A includes line drawings of the invention which provide support for the subject matter of the claims, as evidenced by item 4 of the Declaration. It is important to note that the word "Gummi" is translated as "rubber", which provides support for the subject matter of claims 10 and 11. Every other feature of the claims is clearly illustrated in Exhibit A.

In view of the Declaration and Exhibit A, Morin et al. is not a proper 102(a) reference because Morin et al. was not published before the invention thereof by the applicant. Specifically, the invention by applicant dates back to at least as early as March 3, 2003 and Morin et al. did not publish until June 12, 2003.

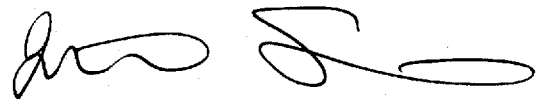
In view of the Declaration, Exhibit A and the facts set forth above, withdrawal of the rejections in view of Morin et al. is respectfully requested.

CONCLUSION

In view of the foregoing, Applicant respectfully requests entry of the Present Amendment and allowance of Claims 1-19.

If additional consultation with Applicant's attorney will further prosecution, the undersigned is available during normal business hours at the below-identified telephone number.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Julianne M. Cozad Smith', written in a cursive style.

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